

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1224 be amended to read as follows:

1 Page 2, delete lines 10 through 20, begin a new paragraph and
2 insert:
3 "SECTION 2. IC 4-31-3-14 IS ADDED TO THE INDIANA CODE
4 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
5 UPON PASSAGE]: **Sec. 14. (a) The following rules are void:**
6 **(1) 71 IAC 11-1-13(d), as added by the emergency rule adopted**
7 **by the commission in LSA Document #07-341.**
8 **(2) Any other emergency or formal rule adopted after May 31,**
9 **2007, making the commission's approval of a proposed transfer**
10 **of an ownership interest in a permit issued under IC 4-31-5**
11 **subject to the commission's consideration of the economic**
12 **benefits realized by the person transferring the ownership**
13 **interest and the state's receipt of a voluntary or involuntary**
14 **payment from the person transferring the ownership interest.**
15 **(b) The commission may not do the following:**
16 **(1) Impose by rule a fee that is not authorized by this article on**
17 **any party to a proposed transfer of an ownership interest in a**
18 **permit issued under IC 4-31-5.**
19 **(2) Make the commission's approval of a proposed transfer of an**
20 **ownership interest in a permit issued under**

1 **IC 4-31-5 contingent upon the payment of any amount that is**
2 **not authorized by this article."**

3 Page 14, between lines 9 and 10, begin a new paragraph and insert:

4 **"(b) The treasurer of state shall refund any amount paid to the**
5 **state under the authority of a rule voided by this act."**

6 Page 14, line 10, delete "(b)" and insert "(c)".

7 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1224 as printed February 22, 2008.)

Senator BRODEN